

REMARKS

Claims 1-4 are pending. Claim 3 has been withdrawn from consideration by the Examiner for being drawn to non-elected subject matter. By this Amendment, Claims 1-3 are amended and Claim 4 added. A majority of the amendments to Claims 1-3 are merely for cosmetic purposes. However, support for the remaining amendments to Claims 1-3, as well as new dependent Claim 4, can be found in the originally filed application, such as, for example, page 12 and Figures 1A and 5-6. Therefore, Applicants respectfully submit that no new matter is presented.

Election/Restrictions & Rejoinder of Claim 3

Applicants confirm Species I, as shown in originally filed Figures 5-6 was elected without traverse in the Response dated June 9, 2005. However, Applicants respectfully disagree with the assertion by the instant Office Action that there is no generic or linking claim between Claims 1-2 and Claim 3. In fact, Applicants note the June 9 Response argued Claim 1 is generic to Species I and II, and that Claims 2 and 3/2 read on the elected species. Therefore, as permitted under 37 C.F.R. §1.141, Applicants respectfully request Claim 3 be rejoined with Claims 1-2 and 4 of the instant application upon the allowance of generic Claim 1.

Information Disclosure Statement (IDS)

The Office Action asserts the IDS filed June 23, 2004 fails to comply with 37 C.F.R. §1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in

the English language. Applicants respectfully disagree with the assertion made by the Office Action for the following reasons.

The only non-English reference cited in the June 23 IDS is German patent DE 100 60 220 A1. As noted in Box 4 of the June 23 IDS, the references cited in the June 23 IDS were cited in a counterpart foreign application. Further, an English language version of a foreign search report was attached to the June 23 IDS for the Examiner's information. A copy of the foreign search report is attached hereto. As can be seen in the search report, the German patent was indicated as being a type **A** category reference, that is, a reference that was cited merely for technical background purposes. Furthermore, as clearly spelled out in M.P.E.P. §609(III)A(3), where the information listed in an IDS is not in the English language, but was cited in a search report by a foreign patent office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of the search report which indicates the degree of relevance found by the foreign office. This may be an explanation of which portion of the reference is particularly relevant, to which claims it applies, or merely an "x", "Y", or "**A**" indication on a search report. As is clear from the cited passage of the M.P.E.P., the June 23 IDS complies with 37 C.F.R. §1.98(a)(3) and the Examiner is required to consider the German patent cited therein. For the convenience of the Examiner, Applicants enclose herein a Form PTO-1449 to indicate consideration of the German patent.

Drawings

Figure 3 is objected to because only that which is old is illustrated. Enclosed herein is a Replacement Sheet of formal drawing Figure 3, which has been amended to include a --PRIOR ART-- legend. Withdrawal of the objection is respectfully requested.

Specification

The disclosure was objected to for an informality therein. The Specification has been amended responsive to the objection. Withdrawal of the objection is respectfully requested.

Claim Objections

The claims were objected to for failing to comply with 37 C.F.R. §1.75(i). The claims have been amended responsive to the objection. Withdrawal of the objection is respectfully requested.

Claim Rejections – 35 U.S.C. §102

Claims 1-2 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Number 6,120,382 to Sone et al. (Sone). Applicants respectfully traverse the rejection.

Claim 1 recites a fixed type constant velocity joint including, among other features, an angle (α) defined by a straight line connecting a contact point between a cage and an outer joint member and a contact point between the cage and an inner joint member, and a cage center line is in a range greater than zero degrees and not more than ten degrees.

Sone does not disclose or suggest the angle defined by a straight line connecting a contact point between the cage (4) and the outer joint member (1) and a contact point between the cage (4) and the inner joint member (2), and the cage center line (0-0) being greater than zero degrees.

To qualify as prior art under 35 U.S.C. §102, a single reference must teach, identically describe, each and every feature recited by a rejected claim. As explained above, the angle disclosed by Sone does not exceed zero degrees, therefore Sone cannot disclose or suggest the angle defined by a straight line connecting a contact point between the cage and the outer joint member and a contact point between the cage and the inner joint member, and the cage center line is in a range greater than zero degrees and not more than ten degrees. Therefore, Sone does not anticipate or render obvious the invention recited by Claim 1. As such, Applicants respectfully submit Claim 1 should be deemed allowable.

Claims 2 and 4 depend from Claim 1. It is respectfully submitted that these dependent claims be deemed allowable for the same reason(s) Claim 1 is allowable, as well as for the additional subject matter recited therein.

Withdrawal of the rejection is respectfully requested.

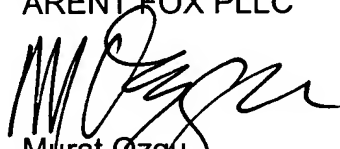
Conclusion

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding objections and rejection, rejoinder of Claim 3, allowance of Claims 1-4, and the prompt issuance of a Notice of Allowability are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 100725-00118.**

Respectfully submitted,
ARENT FOX PLLC



Murat Ozgu
Attorney for Applicants
Registration No. 44,275

Enclosures: English version of Search Report
Form PTO-1449
Replacement Sheet of formal drawing Figure 3

Customer No. **004372**

1050 Connecticut Avenue NW
Suite 400
Washington, DC 20036-5339
Telephone: (202) 857-6000

GEO:MO/elp
322591_1.DOC

IN THE DRAWINGS:

Enclosed herein is a Replacement Sheet of formal drawing Figure 3, which has been amended herein to include a --**PRIOR ART**-- legend. Please replace originally filed Figure 3 with the enclosed Replacement Sheet of Figure 3.